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|---|------------------------|---------------------|--|
| <b>Examiner-Initiated Interview Summary</b> | <b>Application No.</b> | <b>Applicant(s)</b> |  |
|   | 10/717,897             | PHILLIPS ET AL.     |  |
|   | <b>Examiner</b>        | <b>Art Unit</b>     |  |
|   | Cynthia Collins        | 1638                |  |

**All Participants:**

**Status of Application:** *after-final*

(1) Cynthia Collins. (3) \_\_\_\_\_

(2) Liliana Dinola-Baron. (4) \_\_\_\_\_

**Date of Interview:** 11 December 2007

**Time:** \_\_\_\_\_

**Type of Interview:**

- Telephonic  
 Video Conference  
 Personal (Copy given to:  Applicant  Applicant's representative)

Exhibit Shown or Demonstrated:  Yes  No

If Yes, provide a brief description:

**Part I.**

Rejection(s) discussed:

*all outstanding*

Claims discussed:

*all pending*

Prior art documents discussed:

*none*

**Part II.**

SUBSTANCE OF INTERVIEW DESCRIBING THE GENERAL NATURE OF WHAT WAS DISCUSSED:

*See Continuation Sheet*

**Part III.**

- It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview directly resulted in the allowance of the application. The examiner will provide a written summary of the substance of the interview in the Notice of Allowability.  
 It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview did not result in resolution of all issues. A brief summary by the examiner appears in Part II above.

(Examiner/SPE Signature)

(Applicant/Applicant's Representative Signature – if appropriate)

Continuation of Substance of Interview including description of the general nature of what was discussed: that the promoter sequence of SEQ ID NO:47 merely regulates the expression of an operably linked gene; that the reference to downregulation of gene expression is meant to refer to downregulation of endogenous genes by the transcripts of operably linked genes, rather than to the downregulation of the operably linked genes themselves; that claim 5 does not further limit claim 2 because it merely recites a functional characteristic that is inherent to SEQ ID NO:47; the possibility of adding additional claims to vectors, cells and plants that comprise the promoter of SEQ 47.